

IN THE DISTRICT COURT OF THE UNITED STATES  
FOR THE WESTERN DISTRICT OF NORTH CAROLINA  
STATESVILLE DIVISION

CIVIL NO. 5:98CV92

JAMES R. BARNES, and wife )  
DOROTHY G. BARNES, et al., )  
)  
This document pertains to: )  
JAMES R. BARNES, and wife )  
DOROTHY G. BARNES; GRADY H. )  
BEARD, and wife SUZY M. BEARD; )  
WAYNE BEHELER; JAMES L. COBB, )  
and wife REBEKAH COBB; )  
BARNEY MERRILL GRANT, and wife )  
HAZEL GRANT; E. F. GREENE, JR.; )  
BENJAMIN G. GROGAN, and wife )  
HELEN D. GROGAN; JOEANN S. )  
HANCOCK, Individually and as )  
Representative of the Estate of )  
Marion Hancock, Deceased; JERRY )  
LEE HEWELL, and wife JANICE )  
HEWELL; VIRGINIA F. HORNE, )  
Individually and as Executrix of the )  
Estate of Jimmy R. Horne, Sr., )  
Deceased; WILLIAM D. JOYCE, and )  
wife PATSY F. JOYCE; )  
ROBERT L. MAUNNEY, and wife )  
TERESA MAUNNEY; ROGER D. )  
PHILLIPS; GERALD W. RICHARDS, )  
and wife SUSAN H. RICHARDS; )  
SHARON C. COBB, Executrix of the )  
Estate of Orvil L. Cupp, Deceased; )  
ALTON L. HUGHES, and wife LENA )  
M. HUGHES; and CURTIS H. )  
CUTHBERTSON, Administrator of the )  
Estate of Hoy v. Cuthbertson, )

<b>Deceased,</b>	)	
	)	
<b>Plaintiffs,</b>	)	
	)	
<b>Vs.</b>	)	<b><u>ORDER</u></b>
	)	
<b>OWENS-ILLINOIS, INC.,</b>	)	
	)	
<b>Defendant.</b>	)	
	)	

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**THIS MATTER** is before the Court on the joint motion of the captioned Plaintiffs and the Defendant Owens-Illinois, Inc., to dismiss.

With the consent of the parties herein,

**IT IS, THEREFORE, ORDERED** that the joint motion to dismiss is **ALLOWED**, and the claims of Plaintiffs Curtis H. Cuthbertson, Administrator of the Estate of Hoy V. Cuthbertson, Deceased; Joeann S. Hancock, Individually and as Representative of the Estate of Marion Hancock, Deceased; and Virginia F. Horne, Individually and as Executrix of the Estate of Jimmy R. Horne, Sr., against the Defendant Owens-Illinois, Inc., are hereby **DISMISSED WITH PREJUDICE**.

**IT IS FURTHER ORDERED** that the claims of Plaintiffs James R. Barnes, and wife Dorothy G. Barnes; Grady H. Beard, and wife Suzy M. Beard; Wayne Beheler; James L. Cobb, and wife Rebekah Cobb; Sharon

C. Cobb, Executrix of the Estate of Orvil L. Cupp, Deceased; Barney Merrill Grant, and wife Hazel Grant; E. F. Greene, Jr.; Benjamin G. Grogan, and wife Helen D. Grogan; Jerry Lee Hewell, and wife Janice Hewell; Alton L. Hughes, and wife Lena M. Hughes; William D. Joyce, and wife Patsy F. Joyce; Robert L. Mauney, and wife Teresa Mauney; Roger D. Phillips; and Gerald W. Richards, and wife Susan H. Richards, against the Defendant Owens-Illinois, Inc., are hereby **DISMISSED WITHOUT PREJUDICE**, and this matter is hereby terminated as to that Defendant.

Signed: July 6, 2007



Lacy H. Thornburg  
United States District Judge

